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*The State of Texas}*  
*County of Tarrant}*

*Know All Men by These Presents:*

# AMENDMENT

To  
 "OIL AND GAS LEASE"

WHEREAS, heretofore, under date of January 8, 2008, SZTAMENITS FAMILY LIMITED PARTNERSHIP, whose address is 921 N. Henderson Street, Fort Worth, Texas 76107, as Lessor, did execute and deliver unto XTO Energy Inc., whose address is 810 Houston Street, Fort Worth, Texas 76102, as Lessee, an Oil and Gas Lease, a Memorandum of which is recorded as Instrument No. D208043736 of the Official Public Records of Tarrant County, Texas, (hereinafter referred to as "said Lease") covering

Tract 1: 5.61070 acres, more or less, being a certain lot, tract or parcel of land out of the W.B. Dewees Survey, A-396, and the David Odom Survey, Abstract No. 1184, being part of Lot 2, Block 3, Phase 1, Section 1, Fossil Creek Addition, an addition to the City of Fort Worth, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-140, Page 40, of the Plat Records of Tarrant County, Texas,

SAVE AND EXCEPT that portion shown as Lot 2-A, Block 3, Phase 1, Section 1, Fossil Creek Addition, according to the Revised Plat thereof recorded in Cabinet A, Slide 834, Plat Records, Tarrant County, Texas;

AND,

Tract 2: 6.88590 acres, more or less, being a certain lot, tract or parcel of land out of the W.B. Dewees Survey, Abstract No. 396, also being described as being Lot 2A, Block 3 Phase 1, Section 1, Fossil Creek Addition, an addition to the City of Fort Worth, Tarrant County, Texas, according to the plat thereof recorded in Cabinet A, Slide 834, of the Plat Records of Tarrant County, Texas,

(hereinafter referred to as "said Land"); and,

WHEREAS, reference to said Lease and to the record thereof being herein made for all purposes; and,

XTOAamt-0161684

WHEREAS, it is the desire of Lessor and Lessee to amend the pooling provision in said Lease.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned do hereby agree as follows:

1. Amendment: A portion of lines 9 through 13 of Article 6, Section (d) in said Lease which currently read as follows:

"A Retained Tract for a horizontal well may include forty (40) acres for a vertical well plus the additional acreage listed in the tables in Rule 86 and must comply with the requirements of Rule 86 for a permitted well density, and if the well is producing from the Barnett Shale formation, the acreage of the Retained Tract shall be assigned as if well density for vertical wells is forty (40) acres."

is hereby amended to read as follows:

"... A Retained Tract for a horizontal well may include six hundred forty (640) acres, plus an acreage tolerance of 10%."

It is understood and agreed by all parties hereto that in all other respects, said Lease and the prior provisions thereto, shall remain in full force and effect and each of the undersigned does hereby ratify and confirm said Lease as hereby amended.

This Amendment shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, legal representatives, successors and assigns.

The failure of one or more parties to execute this instrument shall not in any manner affect the validity and binding effect of same as to the parties who execute said instrument.

IN WITNESS WHEREOF, this Amendment to Oil, Gas and Mineral Lease is executed by the parties hereto on the dates of their respective acknowledgments, but made effective for all purposes as of January 8, 2008.

LESSOR:

SZTAMENITS FAMILY LIMITED PARTNERSHIP

By: \_\_\_\_\_

Gabor Sztamenits, Managing Partner

LESSEE:

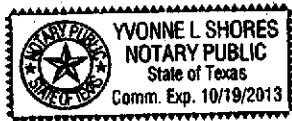
XTO ENERGY INC. *KTS*

By: *Edwin S. Ryan, Jr.*  
Edwin S. Ryan, Jr.,  
Sr. Vice President - Land Administration

ACKNOWLEDGMENT

State of Texas       }  
County of Collin    }

This instrument was acknowledged before me on this 19<sup>TH</sup> day of JANUARY, 2009<sup>th</sup>, by Gabor Sztamenits, Managing Partner for the SZTAMENITS FAMILY LIMITED PARTNERSHIP, a Texas Limited Partnership on behalf of said limited partnership in the capacity therein stated.



(Seal)

*Yvonne L. Shores*  
Notary Public,  
in and for The State of Texas.

ACKNOWLEDGMENT

State of Texas       }  
County of Tarrant    }

This instrument was acknowledged before me on this 1<sup>st</sup> day of February, 2009, by Edwin S. Ryan, Jr., Sr.

Vice President - Land Administration of XTO Energy Inc., a Delaware corporation, on behalf of said corporation.



Charla F. Wilkes

Notary Public  
in and for The State of Texas.

(Seal)